

August 3, 2018

Re: UMB Bank, N.A., as Trustee v. Sanofi, Case No. 1:15-cv-08725-GBD

Dear Judge Lehrburger:

I write jointly on behalf of Plaintiff UMB Bank, N.A., as Trustee (“the Trustee”) and Defendant Sanofi, pursuant to the Fourth Amended Discovery Plan and Scheduling Order (ECF No. 203) requiring the parties to submit a status report to Your Honor every 45 days.

I. Pending Motions

There are no pending motions.

II. Fact Discovery

A. Document Production

The Trustee has completed its production of documents responsive to Sanofi’s requests.

Sanofi has completed its production of documents responsive to the Trustee’s requests.

The parties reserve their rights to challenge the completeness of each other’s document production based on ongoing deposition testimony.

B. Depositions

Depositions are ongoing. The parties are continuing to meet and confer regarding the extension of deposition testimony beyond seven hours for two individuals. Should impasse on this issue be reached, there will be application to the Court.

The Trustee and Sanofi had a substantive meet and confer on July 18, 2018 concerning a Rule 30(b)(6) deposition of Sanofi on designated topics. Sanofi has submitted a proposal to the Trustee regarding the noticed topics, which includes designating future, scheduled deponents as the Rule 30(b)(6) representatives and designating testimony already taken as Rule 30(b)(6) testimony on given topics.

Sanofi previously noticed the Rule 30(b)(6) deposition of the Trustee on a number of topics, as well as the individual deposition of an employee of the Trustee. The parties are in a meet and confer process with respect to Sanofi’s notice.

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C. Subpoenas

The Trustee has issued subpoenas for documents of third parties who provided services to Sanofi, including Simon Kucher & Partners, Parexel, Accenture LLP, ZS Associates, United Biosource Corporation, Moody's Corporation, and Duff & Phelps Corporation. Production of documents responsive to these third-party subpoenas is ongoing, and the Trustee is engaged in meet and confers with the subpoenaed parties as to the completeness of these productions.

III. Next Joint Status Letter

The parties will submit their next joint status letter on Monday, September 17, 2018.

Respectfully submitted,

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